



26 March 2013

Senate Standing Committees on Economics
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Committee Secretariat,

Re: Submission to the Small Business Commissioner Bill 2013 inquiry

The Chamber of Commerce and Industry of Western Australia welcomes the opportunity to make a submission to the Small Business Commissioner Bill 2013 inquiry.

CCI is the leading business association in Western Australia and the second largest organisation of its kind in Australia. CCI has a membership of just under 8,000 organisations in all sectors of the economy. About 85 per cent of members are small businesses, and members are located in all geographical regions of Western Australia.

While CCI acknowledges that the appointment of the Federal Small Business Commissioner recognises the importance of the sector, it is unclear whether this position is necessary given the establishment of Small Business Commissioners in a number of states including Western Australia.

Nonetheless, if the powers and functions of the Federal Commissioner are legislated it will be critical for the Federal Small Business Commissioner to work collaboratively with the state-based commissioners to represent the interests in the sector without duplicating functions. This will be particularly important where state based services already exist and are operating successfully.

An example of this is in relation to dispute resolution, a role already being performed by the Western Australian Small Business Commissioner for business to business disputes as well as business dispute with government agencies at any level of government. If the Federal Small Business Commissioner is also given this power in the context of Commonwealth agencies, this is likely to be a duplication of function and may cause confusion for small businesses particularly in terms of where they should take their business disputes.

Another example of duplication is the federally funded Small Business Support Line which provides advice that is also given by the Small Business Development Corporation in Western Australia.

It is also important that the activities of the Federal Small Business Commissioner do not duplicate processes which exist within Commonwealth agencies. For instance, the Australian Taxation Office is currently undertaking a pilot of an alternative dispute resolution system, in addition to their existing complaint and dispute management policies. Similar dispute or complaints programs exist at the Australian Securities and Investment Commission and often industry ombudsmen and dispute resolution processes already exist.

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A further area of potential overlap is reporting, research and publication. The Department of Industry, Innovation, Science, Research and Tertiary Education already has a division which prepares research, policy and reports on small business. It will be important that the Federal Government considers the role of the Small Business Commissioner in the context of a broader review of existing programs and services to prevent duplication and ensure resources are being used effectively.

The Bill would also benefit from further clarification on how the Commissioner's office is funded. CCI would recommend that the Federal Small Business Commissioner is co-located within the Department of Industry, Innovation, Science, Research and Tertiary Education and existing resources are used to support him in his role as Commissioner. This model has been used successfully in other states.

Should you require any further information, please contact Lisa Kazalac, Senior Policy Advisor, Small Business and Retail

Yours sincerely

John Nicolaou
Chief Officer, Member Services and Advocacy; Chief Economist

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